

REMARKS

Claims 1, 3 and 4 have been examined. Claims 1 and 3 have been rejected under 35 U.S.C. § 102(e). Also, the Examiner has indicated that claim 4 contains allowable subject matter.

I. Rejection under 35 U.S.C. § 102(e) over U.S. Patent No. 6,690,528 B1 to Kusumi et al. (“Kusumi”).

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Kusumi.

A. Claim 1

Claim 1 is patentable over the cited reference. For example, claim 1 recites a locking device for locking an open and close operation of the open and close device. The locking device does not exert a driving force for operating the open and close device.

The Examiner maintains that Kusumi discloses the claimed features. In particular, the Examiner maintains that wheel gear 57 discloses the claimed locking device. However, as shown in Fig. 3 of Kusumi, the wheel gear 57, the worm gear 58 and the door gear 56 comprise a gear train for exerting a driving force to open and close the medium door (col. 6, lines 37-67). Accordingly, wheel gear 57 fails to teach or suggest the claimed locking device.

In view of the above, Applicant submits that Kusumi fails to anticipate claim 1, and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claim 3

Since claim 3 contains features that are analogous to the features recited in claim 1, Applicant submits that claim 3 is patentable over the cited reference for at least analogous reasons as presented above.

II. Allowable Subject Matter

As stated above, the Examiner has indicated that claim 4 contains allowable subject matter. Accordingly, Applicant has rewritten claim 4 into independent form.

III. Newly added claims

Applicant has added claims 5-8 to provide more varied protection for the present invention. Applicant submits that claim 8 is patentable for at least analogous reasons as claim 1, and claims 5-7 are patentable for at least analogous reasons as claim 4.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/072,915

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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